1	The Honorable Richard A. Jones
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9	UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON
10	AT SEATTLE
11	BOMBARDIER, INC.,) NO. 2:18-cv-1543-RAJ
12	Plaintiff,
13	v.) DECLARATION OF RICHARD J.
14 15	MITSUBISHI AIRCRAFT CORPORATION, MITSUBISHI AIRCRAFT CORPORATION AMERICA, INC.; AEROSPACE TESTING OPPOSITION TO PLAINTIFF'S
16	ENGINEERING & CERTIFICATION, INC.; / MOTION TO SEAL EXHIBITS MICHEL KORWIN-SZYMANOWSKI; /
17	LAURUS BASSON; MARC-ANTOINE DELARCHE; CINDY DORNÉVAL; KEITH AYRE; and JOHN AND/OR JANE DOES 1-88,) Re-noted on Motion Calendar: Friday, November 9, 2018
18	Defendants.
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20	I, Richard J. Omata, declare as follows:
21	1. I am an attorney with Karr Tuttle Campbell, counsel of record for Defendants
22	Aerospace Testing Engineering & Certification, Inc. ("AeroTEC"), Michel Korwin-Szymanowski,
23	Laurus Basson, and Cindy Dornéval. I make this declaration based on personal knowledge, and
24	am otherwise competent to testify to the matters stated herein.
25	2. Bombardier, Inc. filed its Motion to Seal Exhibits A-J to the Declaration of Daniel
26	Burns and Exhibit A to the Declaration of David Tidd, Ct. Dkt. No. 3 (the "Motion to Seal"), on
27	October 19, 2018, the day it commenced this action.

KARR TUTTLE CAMPBELL 701 Fifth Avenue, Suite 3300 Seattle, Washington 98104 Main: (206) 223 1313 Fax: (206) 682 7100

- 3. Bombardier has known that I represent AeroTEC in this dispute for two and a half years. Bombardier's then attorneys, Jackson Lewis, sent AeroTEC a letter dated April 26, 2016, accusing Defendant Michel Korwin-Szymanowski and other AeroTEC employees of using Bombardier's confidential information, and threatening litigation. I advised Jackson Lewis that I represented AeroTEC in a response letter dated May 3, 2016, and thereafter had a number of communications with Jackson Lewis about this dispute.
- 4. Plaintiff's counsel did not attempt to meet and confer prior to filing the Motion to Seal.
- 5. Plaintiff's counsel has made hard copies of sealed exhibits available to AeroTEC's counsel, and my partner Mark Bailey reviewed the documents at Plaintiff's counsel's offices on October 31, 2018. Plaintiff has refused to allow anyone other than counsel review the documents.

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct.

Executed this 7th day of November, 2018, at Seattle, Washington.

Richard J. Omata

Fax: (206) 682 7100

1	CERTIFICATE OF SERVICE
2	I, Sherelyn Anderson, affirm and state that I am employed by Karr Tuttle Campbell in King
3	County, in the State of Washington. I am over the age of 18 and not a party to the within action.
4	My business address is: 701 Fifth Avenue, Suite 3300, Seattle, WA 98101. On this day, I
5	electronically filed the foregoing Declaration of Richard J. Omata in Support of the AeroTEC
6	Defendants' Opposition to Plaintiff's Motion to Seal Exhibits with the Clerk of the Court and
7	caused it to be served upon the below counsel of record using the CM/ECF system.
8 9	Brian F. McMahon, WSBA #45739 John D. Denkenberger, WSBA #25907 Christensen O'Connor Johnson & Kindness Jerry A. Riedinger, WSBA #25828 Mack Harrison Shultz, WSBA #27190 James Sanders, WSBA #24565
10	1201 Third Avenue, Suite 3600 Mary Z. Gaston, WSBA #27258 Seattle, WA 98101-3029 Shylah R. Alfonso, WSBA #33138
11	Phone: 206-682-8100 Perkins Coie LLP
12	Fax: 206-224-0779 1201 3 rd Avenue, Suite 4900 Seattle, WA 98101-3099
13	denkenj@cojk.com Phone: 206-359-8000 Attorneys for Plaintiff Fax: 206-359-9000
14	Email: <u>Jriedinger@perkinscoie.com</u>
15	mshultz@perkinscoie.com JSanders@perkinscoie.com
16	mgaston@perkinscoie.com SAlfonso@perkinscoie.com
17	Attorneys for Mitsubishi Aircraft
18	Corporation America, Inc.
19	I declare under penalty of perjury under the laws of the United States that the foregoing is
20	true and correct, to the best of my knowledge.
21	Dated this 7 th day of November, 2018, at Seattle, Washington.
22	/s/ Sherelyn Anderson
23	Sherelyn Anderson Legal Assistant
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